

To: Brown, Randy[Brown03.Randy@epa.gov]
From: Hutchinson, Marcella
Sent: Thur 8/13/2015 4:39:39 PM
Subject: RE: Tribe warns residents not to use EPA forms after spill

Thanks, Randy!

From: Brown, Randy
Sent: Thursday, August 13, 2015 9:39 AM
To: Hutchinson, Marcella
Subject: RE: Tribe warns residents not to use EPA forms after spill

EPA Region 9 and Farmington Unified Command is dealing with Navajo issues. Will forward to appropriate folks. thanks

From: Hutchinson, Marcella
Sent: Thursday, August 13, 2015 9:30 AM
To: Brown, Randy
Subject: FW: Tribe warns residents not to use EPA forms after spill

Hey, Randy- I imagine the principles have seen this, but a friend it to me. Not sure what to do with it. Thought you might.

Thanks!

Marcella

From: Loretta Lohman [mailto:lorettalohman@gmail.com]
Sent: Thursday, August 13, 2015 9:26 AM
To: coriv@googlegroups.com; Larry MacDonnell
Subject: Tribe warns residents not to use EPA forms after spill



Tribe warns residents not to use EPA forms after spill

Joshua Kellogg, The (Farmington, N.M.) Daily Times 1:42 a.m. EDT August 13, 2015



(Photo: Joshua Kellogg, The (Farmington, N.M.) Daily Times)

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SHIPROCK, N.M. — Navajo Nation President Russell Begaye has warned tribal residents to avoid using the U.S. Environmental Protection Agency's form for [claims of damage or injury as a result of the Gold King Mine spill](#).

In the president's Wednesday directive, Navajo Nation Attorney General Ethel Branch advised that the federal form "contains offending language that will waive future claims for individuals that sign the form and preclude our people from seeking full compensation for injuries suffered from the spill."

The memorandum directs all of the tribe's divisions to stop promoting the form unless authorized to do so by the president's office.



USA TODAY

Mine waste has fouled the Animas River before

In a meeting Wednesday at the Shiprock Chapter house, Robert Joe, the acting chief of staff for the Office of the President and Vice President, said the president's office does not support residents filling out EPA Standard Form No. 95. The form concerns damages to property from the release last week of toxic mine waste into the Animas and San Juan rivers from Gold King Mine north of Silverton, Colo.

"We do not support it. I know the president does not support that. The EPA created the situation, they should be accountable and held responsible," Joe said in an interview after the meeting.

An EPA official could not be reached for comment late Wednesday night.

San Juan County Executive Officer Kim Carpenter spoke during Wednesday's meeting at the Shiprock Chapter house and encouraged people to seek assistance after the spill. In an interview Wednesday evening after the meeting, he said he did not agree with President Begaye's directive.

"When you mix politics with something like this, it doesn't mix," he said. "I'm interested in taking care of the people."



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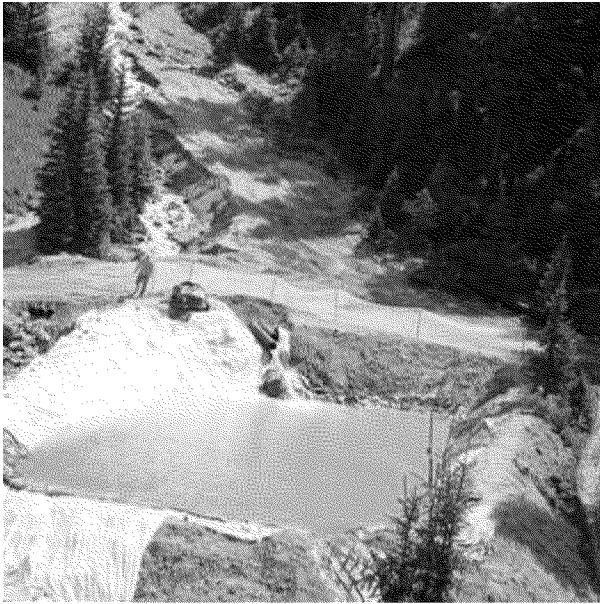
EPA chief: 'We will be fully accountable' for toxic spill

Navajo Nation Council Speaker LoRenzo Bates does not have a position on whether residents should fill out the form, said his legislative staff assistant, Pete Ken Atcitty, during the Shiprock meeting.

"I just want to make that clear that the speaker's office and Navajo Nation Council isn't pushing anything upon any Navajo constituents, we just want to give you as much information as we can," Atcitty said.

In a statement issued Wednesday evening, Bates said Diné citizens deserve to be compensated to the fullest extent, and the EPA must be held accountable for its negligence.

He encouraged the public to read the form thoroughly and seek further consultation to make an informed decision.



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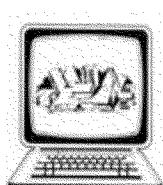
Toxic mines taint the West's waterways

New Mexico Attorney General Hector Balderas said Wednesday afternoon that he wanted Navajo residents to seek proper legal counsel in their dispute with the EPA.

"I don't think anyone has talked about deploying proper legal resources to these rural communities," Balderas said, adding that it should be done.

He said that as attorney general, he is limited in his ability to provide legal advice.

Contributing: Noel Lynn Smith and Steve Garrison, The Daily Times



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